

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a dedicated easement.

WHEREAS, a petition to vacate a dedicated easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereof; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

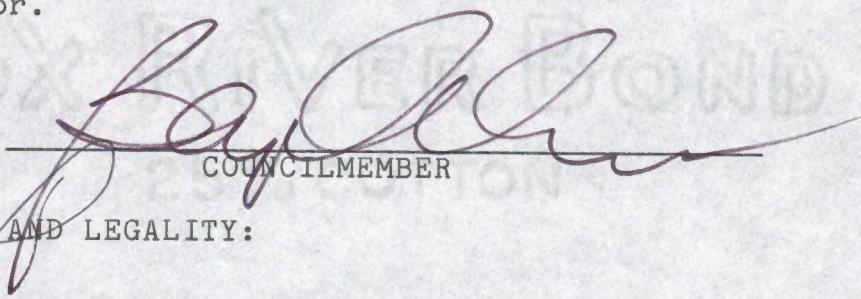
SECTION 1. That the petition filed herein to vacate a dedicated easement within the City of Fort Wayne, more specifically described as follows, to-wit:

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the West line of said Reserve, 3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East along the North line of Fox Chase, Section I, 1316.09 feet to the Northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the West line of the lands occupied by said Unit 19, 58.17 feet to a point on the South line of a fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 minutes 13 seconds East,

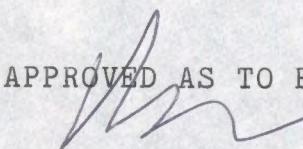
1       30.00 feet; thence North 01 degrees 13 minutes 47  
2       seconds East, 10.00 feet; thence North 88 degrees 46  
3       minutes 13 seconds West, 30.00 feet; thence South 01  
4       degrees 13 minutes 47 seconds West, 10.00 feet to the  
5       point of beginning of easement vacation.  
6

7       and which vacating amends the Thoroughfare Plan of the City  
8       Comprehensive ("Master") Plan and is hereby approved in all  
9       respects.

10      SECTION 2. That this Ordinance shall be in full force  
11      and effect from and after its passage, any and all necessary  
12      approval by the Mayor.

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COUNCILMEMBER

12      APPROVED AS TO FORM AND LEGALITY:

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BRUCE O. BOXBERGER, CITY ATTORNEY

15      \*\*Public hearing to be held on \_\_\_\_\_, the  
16      \_\_\_\_\_ day of \_\_\_\_\_, 1986, in the  
17      Council Chambers.

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32      \_\_\_\_\_  
  
Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Eisbark,  
seconded by Sister, and duly adopted, read the second time  
by title and referred to the Committee Regulation (and the Ci  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Way  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.

DATE: 10-14-86

Sandra F. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbark,  
seconded by Sister, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 12-23-86

Sandra F. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. D 40-86  
on the 23rd day of December, 1986.

ATTEST:

(SEAL)

Sandra F. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 26th day of December, 1986,  
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra F. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of December,  
1986, at the hour of 11:00 o'clock A.M., E.S.T.

WIN MOSES, JR.  
WIN MOSES, JR., MAYOR

## RECEIPT

No 1139

COMMUNITY DEVELOPMENT &amp; PLANNING

Ft. WAYNE, IND.,

9/18/86

RECEIVED FROM

Wipps et al

\$

THE SUM OF

One Hundred +

DOLLARS

100

ON ACCOUNT OF

utility easement

Tax B.

AUTHORIZED SIGNATURE

PETITION TO PARTIALLY VACATE EASEMENT AS PLATTED IN FOX CHASE  
CONDOMINIUM, AS RECORDED IN CONDOMINIUM PLAT RECORD 6, PAGES 73-90,  
IN THE ALLEN COUNTY RECORDER'S OFFICE

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner, does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following part of that Fifty (50) foot wide dedicated utility and surface drainage easement within the City of Fort Wayne, Indiana, and hereby described as follows:

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the west line of said Reserve, 3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East along the north line of Fox Chase, Section I, 1316.09 feet to the northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the west line of the lands occupied by said Unit 19, 58.17 feet to a point on the South line of a fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 mintues 13 seconds East, 30.00 feet; thence North 01 degrees 13 minutes 47 seconds East, 10.00 feet; thence North 88 degrees 46 minutes 13 seconds West, 30.00 feet; thence South 01 degrees 13 minutes 47 seconds West, 10.00 feet to the point of beginning of easement vacation.

as depicted in Exhibit "A", which Exhibit is incorporated herein and made a part hereof.

In support thereof, your petitioner would represent as follows:

1. That it is the only owner of the real estate bordering both sides of the parcel of land on which the easement vacation is being requested.

2. That all utilities of the Fox Chase Condominium Project have been previously installed, and that none lie within the parcel of land for which the easement vacation is being requested.

3. That no other firm, person or corporation is interested in or affected by the requested vacation.

4. That if said requested easement vacation is granted, there will still remain a Forty (40) foot wide utility and surface drainage easement, which is more than adequate for the needs of the City of Fort Wayne.

5. That there exists a substantial need on the part of petitioner to have said easement vacated, in that due to a surveying error, a substantial residential home has been built on said easement, and that said easement must be partially vacated as requested, in order to clear the title for Unit 19 in Fox Chase Condominiums.

7. That the maintenance of said utility and surface drainage easement is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be in the best interest of the City and the citizens thereof.

Your petitioner files this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512, in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described utility and surface drainage easement be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 5th DAY OF September, 1986.

CHRIS STAUFFER HOMES, INC.

BY: Chris Stauffer  
CHRIS STAUFFER, President

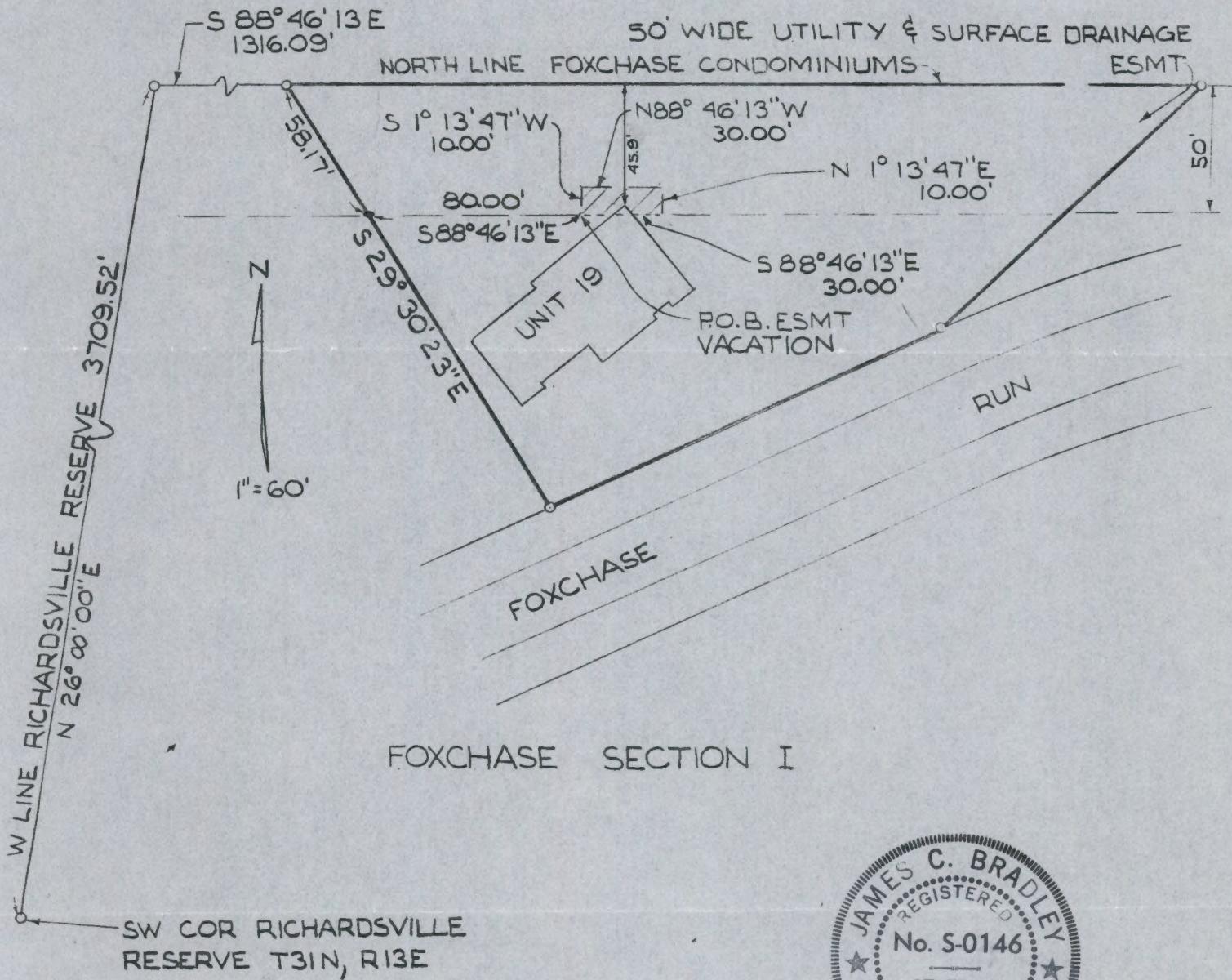
2030 Fox Chase Run  
Fort Wayne, IN 46825

This Instrument Prepared By:

Terry A. Stauffer  
Attorney at Law  
1800 Lincoln Bank Tower  
Fort Wayne, IN 46802  
Telephone: (219) 424-8223

LEGAL DESCRIPTION

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the west line of said Reserve, 3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East along the north line of Fox Chase, Section I, 1316.09 feet to the northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the west line of the lands occupied by said Unit 19, 58.17 feet to a point on the South line of a fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 minutes 13 seconds East, 30.00 feet; thence North 01 degrees 13 minutes 47 seconds East, 10.00 feet; thence North 88 degrees 46 minutes 13 seconds West, 30.00 feet; thence South 01 degrees 13 minutes 47 seconds West, 10.00 feet to the point of beginning of easement vacation.



Prepared By: Turnbell Engineering Co., Inc.  
Date: September 11, 1986



*James C. Bradley*  
9-11-86

RESOLUTION 77-8-11

WHEREAS, CHRIS STAUFFER HOMES, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the West line of said Reserve, 3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East along the North line of Fox Chase, Section I, 1316.09 feet to the Northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the West line of the lands occupied by said Unit 19, 58.17 feet to a point on the South line of a fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 minutes 13 seconds East, 30.00 feet; thence North 01 degrees 13 minutes 47 seconds East, 10.00 feet; thence North 88 degrees 46 minutes 13 seconds West, 30.00 feet; thence South 01 degrees 13 minutes 47 seconds West, 10.00 feet to the point of beginning of easement vacation.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of a portion of dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of a dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

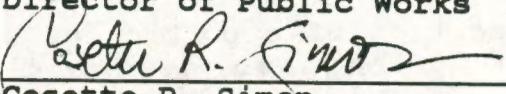
STATE OF INDIANA)  
                     ) SS:  
COUNTY OF ALLEN )

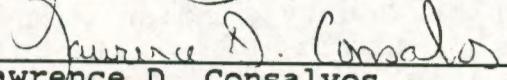
I, Baron R. Biedenweg, ~~acting~~ Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held November 19, 1986 and as same appears of record in the official records of the Board of Public Works

DATED THIS 19<sup>th</sup> DAY OF November 1986

FORT WAYNE BOARD OF PUBLIC WORKS

  
Baron R. Biedenweg  
Director of Public Works

  
Cosette R. Simon  
Director of Administration & Finance

  
Lawrence D. Consalvos  
Director of Public Safety

RESOLUTION

WHEREAS, CHRIS STAUFFER HOMES, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the West line of said Reserve, 3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East along the North line of Fox Chase, Section I, 1316.09 feet to the Northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the West line of the lands occupied by said Unit 19, 58.17 feet to a point on the South line of a fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 minutes 13 seconds East, 30.00 feet; thence North 01 degrees 13 minutes 47 seconds East, 10.00 feet; thence North 88 degrees 46 minutes 13 seconds West, 30.00 feet; thence South 01 degrees 13 minutes 47 seconds West, 10.00 feet to the point of beginning of easement vacation.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 20, 1986 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated portion of utility easement.

WHEREAS, said vacation of dedicated portion of utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated portion of a utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated portion of utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated portion of utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated

portion of utility easement in Allen County, Indiana.

STATE OF INDIANA)  
                     ) SS:  
COUNTY OF ALLEN )

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 27, 1986, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 2 DAY OF December 1986

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Melvin O. Smith, Secretary

# DIVISION OF COMMUNITY DEVELOPMENT & PLANNING

**BRIEF TITLE****APPROVAL DEADLINE****REASON**

Utility Easement Vacation

**DETAILS****Specific Location and/or Address**

Easement platted in Fox Chase Condominiums

**Reason for Project**

To correct surveyor's error allowing for home to be built encroaching into easement.

**Discussion (Including relationship to other Council actions)**20 October 1986 - Public Hearing

Terry Stauffer, stated that a residence was built on the property which encroached into the easement. He stated it was a surveyor's error and they were requesting the vacation of said easement in order to clear up the error. He stated that all of the utilities are in this area and even with this vacation there will remain a 40 foot surface drainage easement.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the eight members present 7 voted in favor of the motion one did not vote.

**POSITIONS****RECOMMENDATIONS**

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/  
Proponents

Applicant(s)

Chris Stauffer Homes

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff  
Recommendation For Against

Reason Against

Board or  
Commission  
Recommendation

By

 For  Against No Action Taken For with revisions to condition  
(See Details column for condition)
**CITY COUNCIL  
ACTIONS**  
 (For Council  
use only)
 Pass  Other Pass (as  
amended)  Hold Council Sub.  Do not pa

**DETAILS****POLICY/PROGRAM IMPACT**Policy or  
Program  
Change No YesOperational  
Impact  
Assessment

(This space for further discussion)

**Project Start**      Date      18 September 1986**Projected Completion or Occupancy**      Date      2 December 1986**Fact Sheet Prepared by**      Date      2 December 1986

Patricia Biancaniello

Reviewed by

*Gary Breton*

Reference or Case Number

Date      *2 Dec. 1986*

ORIGINAL

Admn. Appr.

COUNCILMANIC DISTRICT No.

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Partial Easement Vacation as platted in  
Fox Chase Condominiums

D-86-10-16

EFFECT OF PASSAGE Property is presently dedicated easement. Property will be  
vacated and revert to adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain a dedicated easement.

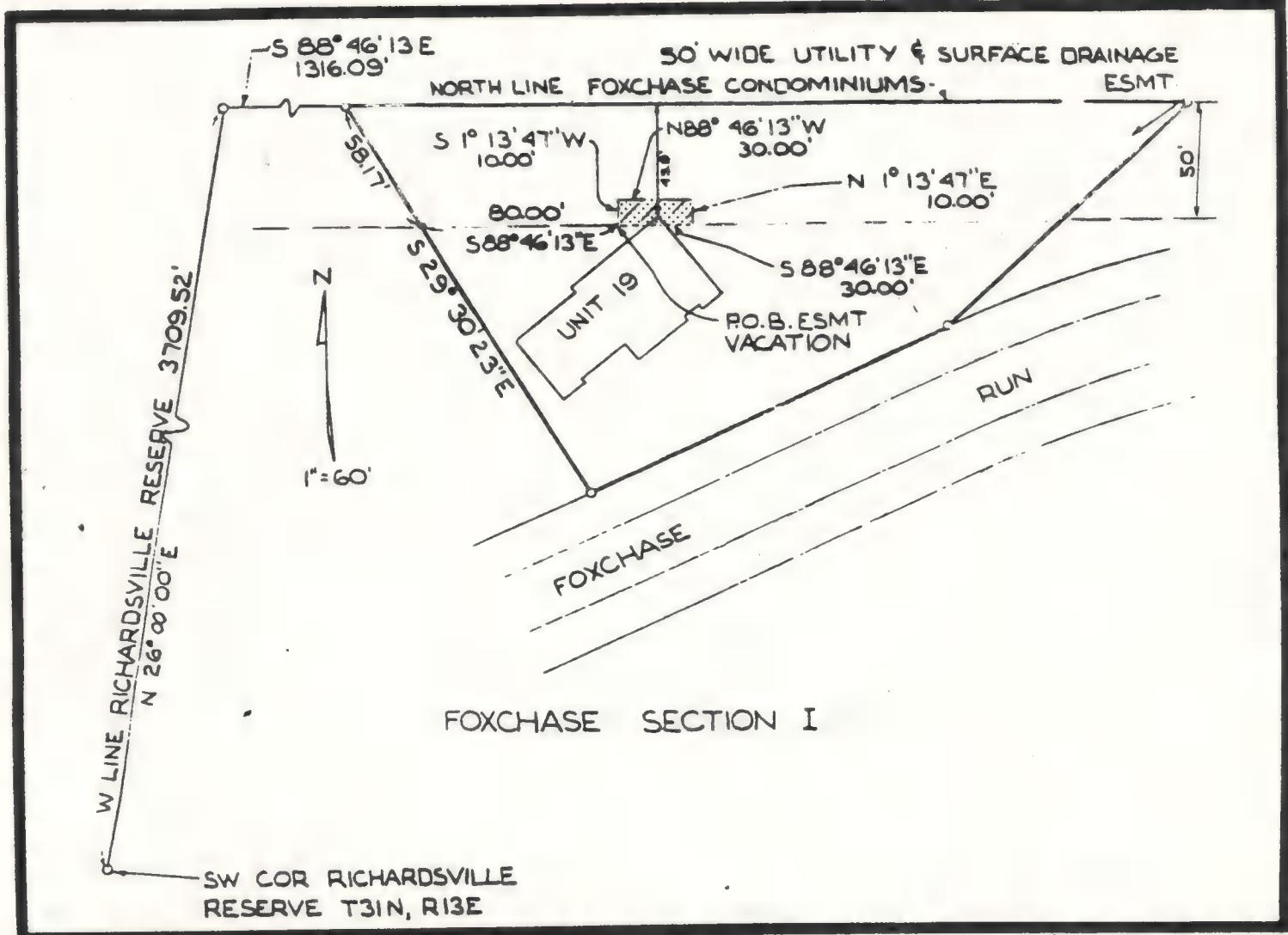
MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_

A PETITION TO VACATE THE DESCRIBED PETITION  
EASEMENT.

MAP NO. Q-42

COUNCILMANIC DISTRICT NO. 3



**ZONING:**

**LAND USE:**

**SCALE: N.T.S.**

**DATE: 10-6-86**



BILL NO. G-86-10-16

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating a  
dedicated easement

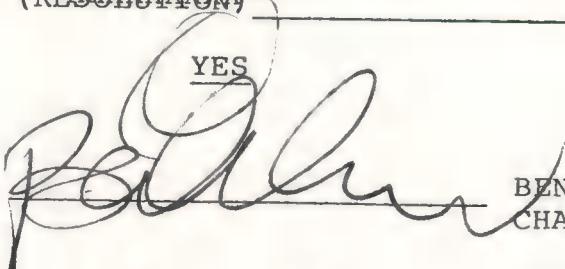
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG

LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

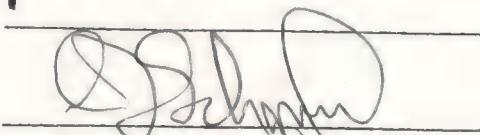
(~~RESOLUTION~~)

YES

NO



BEN A. EISBART  
CHAIRMAN



JANET G. BRADBURY  
VICE CHAIRWOMAN



DONALD J. SCHMIDT



THOMAS C. HENRY



CHARLES B. REDD

CONCURRED IN 12-23-86

SANDRA E. KENNEDY  
CITY CLERK

Legal Notice Attached

AGENT: Terry Stauffer / 1800 Lincoln Bank Tower / CIty 02

*South a distance of 396.7 feet to  
Lot Numbered 21 in Southwood Park*

*feet of the East 24 feet of the South 14 feet  
Section 14, T30N, R12E, and Pt. O.L. #3 (E. of  
Manna and Hamilton's Sub. of Richardville Reserve as  
Deed Record 462 Page 555-57.*

*Also, an easement 14 feet uniform in width on a centerline,  
commencing at a point 38 feet West of the South projected  
centerline of Beaver Avenue (vacated) and 397 feet North of the  
centerline of Lexington Avenue; thence, Southeasterly to a point  
on the above South projected centerline 286 feet North of the  
centerline of Lexington Avenue; thence, South along South  
projected centerline of Beaver Avenue (vacated) to Lexington  
Avenue.*

Also, an easement 14 feet uniform in width on a centerline  
commencing at a point on the West right-of-way line of Beaver  
Avenue (vacated) and the East property line of Lot Numbered 18  
in Wiebkes Homestead Addition Section "A" in SE 1/4 Section 15,  
T30N, R12E in Allen County, Indiana and 44 feet South of Rudisill  
Boulevard; thence, Westerly to a point 30 feet South of Rudisill  
Boulevard and 32 feet East of the West property line of Lot  
Numbered 15 in said addition; thence, Southerly and parallel to  
the West property line of said Lot Numbered 15, 32 feet East of  
West property line.

Except, the East 20 feet of Lot Numbered 18 in said addition.

~~Also, the West 12 feet of Lot Numbered 39 in Wiebkes Homestead  
Addition Section "A" in SE 1/4 Section 15, T30N, R12 E in Allen  
County Indiana.~~

#### PARTIAL VACATION OF EASEMENT IN FOX CHASE CONDOMINIUMS

For the vacation of a portion of a fifty foot wide utility and  
surface drainage easement laying adjacent to and parallel with  
the North line of Fox Chase condominiums in a part of  
Richardsville Reserve in Township 31 North, Range 13 East, Allen  
County, Indiana, and bounded and described as follows:  
Commencing at the southwest corner of Richardsville Reserve in  
Township 31 North, Range 13 East; thence North 26 degrees 00  
minutes 00 seconds East along the West line of said Reserve,  
3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East  
along the North line of Fox Chase, Section I, 1316.09 feet to  
the Northwest corner of the land being occupied by Unit 19 in  
Fox Chase; thence South 29 degrees 30 minutes 23 seconds East  
along the West line of the lands occupied by said Unit 19, 58.17  
feet to a point on the South line of a fifty foot wide utility  
and surface drainage easement; thence South 88 degrees 46  
minutes 13 seconds East along the South line of said easement  
80.00 feet; thence South 88 degrees 46 minutes 13 seconds East,  
30.00 feet; thence North 01 degrees 13 minutes 47 seconds East,  
10.00 feet; thence North 88 degrees 46 minutes 13 seconds West,  
30.00 feet; thence South 01 degrees 13 minutes 47 seconds West,  
10.00 feet to the point of beginning of easement vacation.



# The City of Fort Wayne

December 10, 1986

Ms. Marilyn Romine  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Romine:

Please give the attached full coverage on the date of December 13, 1986, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-86-10-16  
Bill No. G-86-08-31

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,  
*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 2

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-86-10-16

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 23, 1986, at 7:00 P.M., (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

REGARDING--Partial Easement Vacation as platted in Fox Chase Condominiums

**PARTIAL VACATION OF EASEMENT IN FOX CHASE CONDOMINIUMS**

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the West line of said Reserve, 3709.52 feet; thence South 88 degrees 46 minutes 13 seconds East along the North line of Fox Chase, Section I, 1316.09 feet to the Northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the West line of the lands occupied by said Unit 19, 58.17 feet to a point on the South line of a fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 minutes 13 seconds East, 30.00 feet; thence North 01 degrees 13 minutes 47 seconds East, 10.00 feet; thence North 88 degrees 46 minutes 13 seconds West, 30.00 feet; thence South 01 degrees 13 minutes 47 seconds West, 10.00 feet to the point of beginning of easement vacation.

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy



# The City of Fort Wayne

December 10, 1986

Terry Stauffer  
1800 Lincoln Bank Tower  
Fort Wayne, IN 46802

## NOTICE OF PUBLIC HEARING ON BILL NO. G-86-10-16

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, December 23, 1986, at 7:00 P.M., in the Council Conference Room 128, 1st Floor, City-County Bldg., One Main Street, Fort Wayne, IN, on the following:

Easement platted in Fox Chase Condominiums  
To correct surveyor's error allowing for  
home to be built encroaching into easement.

All interested parties are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy  
City Clerk

**Fort Wayne Common Council**  
 .....  
 (Governmental Unit)  
**Allen** ..... County, IN

To ..... **JOURNAL-GAZETTE** ..... Dr.  
 ..... **P.O. BOX 100**  
 ..... **FORT WAYNE, INDIANA**

**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines  
 of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	.....	3
Body	number of lines	.....	37
Tail	number of lines	.....	2
Total number of lines in notice		.....	42

**COMPUTATION OF CHARGES**

42	1	42	.300¢	\$ 12.60
..... lines,	..... columns wide equals	..... equivalent lines at	.....	.....
cents per line				

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	2 extra	.....	1.00
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<b>TOTAL AMOUNT OF CLAIM</b>	.....	\$ 13.60
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**DATA FOR COMPUTING COST**

Width of single column 12.5 picas	Size of type ..... 6	..... point
Number of insertions ..... 1	Size of quad upon which type is cast ..... 6	.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Drusilla Roose*

Date ..... Dec. 13 86  
 ..... 19 .....

Title ..... CLERK

**FORM #904****PUBLISHER'S AFFIDAVIT**

State of Indiana  
 ALLEN County SS:

NOTICE OF PUBLIC HEARING  
 FORT WAYNE COMMON COUNCIL  
 BILL NO. G-86-10-16

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 23, 1986, at 7:00 P.M., (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

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All interested parties are invited to appear and be heard.

Fort Wayne Common Council  
 Sandra E. Kennedy

Personally appeared before me, a notary public in and for said county and state, the undersigned ..... *Drusilla Roose* ..... who, being duly sworn, says

that he/she is ..... of the

**JOURNAL-GAZETTE**

a ..... **DAILY** ..... newspaper of general circulation printed and published

in the English language in the city ..... town of ..... **FORT WAYNE, INDIANA** .....

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for ..... **one time** ..... the dates of publication being

as follows:

**12/13/86**

Subscribed and sworn to me before this ..... 13th ..... day of ..... December 19 86

*Shelley R. LaRue*  
 Shelley R. LaRue Notary Public

March 3, 1990

**Fort Wayne Common Council**  
 (Governmental Unit)  
**Allen** County, IN

To ..... **NEW-SENTINEL** ..... Dr.  
**P.O. BOX 100**  
**FORT WAYNE, INDIANA**

**PUBLISHER'S CLAIM****LINE COUNT**

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	2 extra	1.00
.....		.....

**TOTAL AMOUNT OF CLAIM** \$ 13.60

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Number of insertions .....	.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Drusilla Roose*

Dec. 13 86  
 Date ..... 19 .....

Title ..... CLERK .....

**FORM #903****PUBLISHER'S AFFIDAVIT**

State of Indiana  
 ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the  
*Drusilla Roose* undersigned ..... who, being duly sworn, says

that he/she is ..... of the

**NEWS-SENTINEL**

a ..... newspaper of general circulation printed and published

in the English language in the city ..... town of ..... **FORT WAYNE, INDIANA** .....

in state and county aforesaid, and that the printed matter attached hereto is a true copy,  
*one time*  
 which was duly published in said paper for ....., the dates of publication being

as follows:

**12/13/86**

Subscribed and sworn to me before this ..... day of .....

*Drusilla Roose*  
*Shelley R. LaRue*

Notary Public

**March 3, 1990**